

PARLIAMENTARY
ELECTORATES AND ELECTIONS
(AMENDMENT) ACT.

Act No. 33, 1929.

An Act to amend the Parliamentary Electorates and Elections Act, 1912-1928, in certain respects; and for purposes connected therewith. [Assented to, 27th November, 1929.] George V.
No. 33, 1929.

BE it enacted by the King's Most Excellent Majesty, by and with the advice and consent of the Legislative Council and Legislative Assembly of New South Wales in Parliament assembled, and by the authority of the same, as follows.—

1. (1) This Act may be cited as the "Parliamentary Electorates and Elections (Amendment) Act, 1929," and shall be read with the Parliamentary Electorates and Elections Act, 1912-1928. Short title.

(2) The Parliamentary Electorates and Elections Act, 1912-1928, is in this Act referred to as the Principal Act.

(3) The Principal Act as amended by this Act may be cited as the Parliamentary Electorates and Elections Act, 1912-1929.

2. (1) The Principal Act is amended—

- (a) by omitting from subsection one of section eighty-nine the words: "Before the day of polling the returning officer shall deliver to each of the deputies for use at each polling-booth sufficient copies of all rolls in force for the district in and for which the poll is to be taken thereat certified under his hand to be true" (Persons voting outside their subdivision to be absent voters.)
Sec. 89 (1).
Amendment of Act No. 41 1912.

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true copies, and also one set at least for the general use of scrutineers” and by inserting in lieu thereof the following words: “ Before the day of polling the returning officer shall provide for use at each polling-place—

- (a) at least one copy of the printed rolls in force for the district in and for which the poll is to be taken thereat; and
- (b) sufficient copies certified under his hand to be true copies of all rolls in force for the subdivision for which that polling-place has been declared to be a polling-place”;

Sec. 97 (1).
(Where electors may vote.)

- (b) by omitting subsection one of section ninety-seven, and by inserting in lieu thereof the following subsection:—

(1) Any elector may vote at any polling-place which has been declared to be a polling-place for the subdivision for which he is enrolled.

Sec. 100 (1).
(Questions to be put if voter challenged.)

- (c) by omitting from paragraph (a) of subsection one of section one hundred the words “ this district or the district of ” and by inserting in lieu thereof the words “ the subdivision of ”;

Sec. 115 (1).
(Absent voters.)

- (d) (i) by omitting from subsection one of section one hundred and fifteen the words “ electoral district ” where firstly occurring and by inserting in lieu thereof the word “ subdivision ”;
- (ii) by omitting from the same subsection the word “ electorate ” and by inserting in lieu thereof the word “ subdivision ”;

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- (e) by omitting Schedule Nine.

Amendment of Act No. 40, 1918, Sch. (Consequential.)

(2) The Parliamentary Elections (Amendment) Act, 1918, is amended by omitting so much of the Schedule to that Act as amends subsection one of section ninety-seven of the Principal Act.

Amendment of Act No. 19, 1921, s. 2 (26). (Consequential.)

(3) The Parliamentary Electorates and Elections (Amendment) Act, 1921, is amended by omitting paragraph twenty-six of section two.

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(4) The Parliamentary Electorates and Elections (Amendment) Act, 1928, is amended—

Amendment of Act No. 55, 1928.

- (a) by omitting paragraph (b) of section twenty;
- (b) by omitting from paragraph (d) of the same section the word "nine."

(Consequential.)

(5) This section shall commence upon the day appointed by the Governor and notified by proclamation published in the Gazette in pursuance of subsection three of section eleven of the Parliamentary Electorates and Elections (Amendment) Act, 1928, as the day upon which the first rolls prepared in pursuance of Part IV of the said Act shall come into force.

Commencement of section.

3. (1) The Principal Act is further amended by adding at the end of section 122A the following new subsection:—

Further amendment of Act No. 41, 1912, s. 122A.

(2) Notwithstanding anything to the contrary in this Act, at any election at which there are not more than two candidates, a ballot-paper shall not be informal by reason only of the fact that the voter has recorded his vote by placing in one square the number "1" and by leaving the other square blank.

(Informal ballot-papers.)

(2) This section shall commence upon the date appointed by the Governor and notified by proclamation published in the Gazette in pursuance of section twenty-seven of the Parliamentary Electorates and Elections (Amendment) Act, 1928, as the date upon which Part V of the said Act shall commence.

Commencement.

4. (1) The Principal Act is further amended by omitting subsection four of section one hundred.

Further amendment of Act No. 41, 1912, s. 100 (4).

(2) The Parliamentary Elections (Amendment) Act, 1918, is amended by omitting so much of the Schedule to that Act as amends subsection four of section one hundred of the Principal Act.

Amendment of Act No. 40, 1918. Schedule.

(3) This section shall commence upon the day appointed by the Governor and notified by proclamation published in the Gazette in pursuance of subsection three of section eleven of the Parliamentary Electorates and Elections (Amendment) Act, 1928, as the day upon which the first rolls prepared in pursuance of Part IV of the said Act shall come into force.

Commencement.

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Further amend-
ment of Act
No. 41, 1912.
(Postal voting.)
Sec. 114A (2A).**5.** The Principal Act is further amended—

- (a) by omitting from subsection (2A) of section 114A the words “one clear day prior to” and by inserting in lieu thereof the words “thirty-eight hours prior to the hour at which the polling is to commence on”;
- Sec. 114D (1). (b) by omitting from subsection one of section 114D the words “one clear day prior to” and by inserting in lieu thereof the words “thirty-eight hours prior to the hour at which the polling is to commence on”;
- Sec. 114E (1). (c) by omitting from subsection one of section 114E the words “one clear day prior to” and by inserting in lieu thereof the words “thirty-eight hours prior to the hour at which the polling is to commence on”;
- Sch. XIII. (d) by omitting from Schedule Thirteen the words “one clear day prior to” and by inserting in lieu thereof the words “thirty-eight hours prior to the hour at which the polling is to commence on.”

Further amend-
ment of Act No.
41, 1912 (as
amended by Act
No. 55, 1928),
s. 25.
(Appointment
of registrars.)

6. Section twenty-five of the Principal Act as inserted by Part IV of the Parliamentary Electorates and Elections (Amendment) Act, 1928, is amended by omitting the word “Governor” where firstly and secondly occurring and by inserting in lieu thereof the words “Electoral Commissioner.”

Further
amendment
of Act No. 41,
1912.

7. The Principal Act is amended by omitting subsection three of section 21c and by inserting in lieu thereof the following subsection :—

Existing rolls
continued.

(3) Until the first rolls prepared under the arrangement come into force, the rolls in existence at the date of the passing of the Parliamentary Electorates and Elections (Amendment) Act, 1929, as added to or altered from time to time, shall be the rolls of electors for elections under this Act, and the provisions of this Act relating to the preparation and revision of lists and the compilation of rolls of electors shall be read subject to this subsection.